

CL00L0376 - DIANNE C. MITCHELL

CLAIM OF: SHONTERRACE L. HENDERSON

2008 Tree Crest Parkway
Decatur, Georgia 30035

For damages alleged to have been sustained as a result of vehicular damage due to concrete falling from the Spring Street bridge on May 17, 2000.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

Public Safety
8/15/2000
C. T. [Signature]
[Signature]
[Signature]

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to SHONTERRACE L. HENDERSON the sum of \$974.31 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to concrete falling from the Spring Street bridge on May 17, 2000 as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD

CITY ATTORNEY

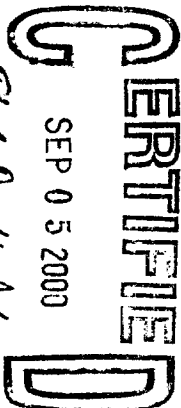
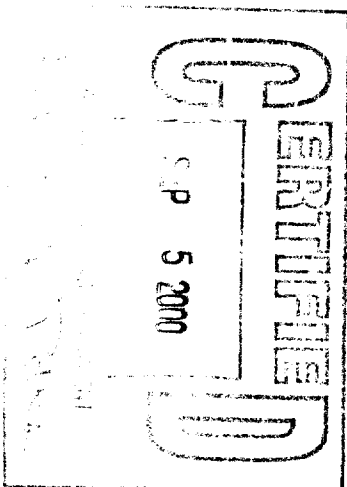
CONSENT AGENDA

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 0 5 2000

COUNCIL



Rosalind Rubens Newell
MUNICIPAL CLERK

APPROVED

SEP 14 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



MUNICIPAL CLERK
ATLANTA, GEORGIA

00-R-1244

A RESOLUTION

BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Shonterrace L. Henderson** in the sum of **\$974.31** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **vehicular damage due to concrete falling from the Spring Street bridge on May 17, 2000** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 05, 2000

SEP 14, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0376

Date: July 25, 2000

Claimant /Victim SHONTERRACE L. HENDERSON

BY: (Atty) _____

Address: 2008 Tree Crest Parkway, Decatur, Georgia 30035

Subrogation: _____ Claim for Property damage \$ 974.31 Bodily Injury \$ _____

Date of Notice: 06/15/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 05/17/00 Place: Spring Street Bridge

Department Public Works Division: Street Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's vehicle was damaged while it was parked under the Spring Street bridge and a piece of concrete from the bridge fell onto same. The City had prior notice of the hazardous condition of the bridge.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

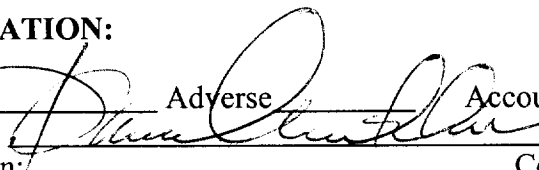
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 974.31 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 07-25-00

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

JUN 15

RE: CLAIM FOR DAMAGES

Today's Date:

Mitchell
06/19/00
June 1, 2000

06-15-00 P05:45 IN

Dear Municipal Clerk:

ENTERED - 6-22-00 - SB
00L0376 - DIANNE MITCHELL
property

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____
and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: MAY 17, 2000 (month/day/year) 2. Time of Incident: 17:09 3. Police called: X Yes No
4. Location of incident (including street address): 75 SPRING ST - PARKING LOT GARAGE
5. Name of your insurance company: STATE FARM Policy No. T568423E1911B.D
6. State what and how incident occurred A COURIER PARKING TO MAKE A DELIVERY
AT THE RICHARD B. RUSSELL FEDERAL BLDNG (75 SPRING ST.) WITNESSED
A PIECE OF CONCRETE FALLING FROM THE BRIDGE OVERPASS AND FALLING
ON MY CAR DAMAGING IT. HE NOTIFIED SECURITY (COP) THEY NOTIFIED ME,
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL
RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and
proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: ACURA 1995 457LMD SHONTERRACE L. HENDERSON
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: _____
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by
State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

Shonterrace L. Henderson
Signature of Claimant

SHONTERRACE L. HENDERSON
(Print Claimant's Name)

2008 TREE CREST PKWY
(Address)

DECATUR GA 30035
(City, State and Zip Code)

(404) 331-1115 (770) 987-0843
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0376

\$ 974.31

IN CONSIDERATION of the sum of NINE HUNDRED SEVENTY-FOUR AND 31/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, from any and all claims, demands, actions, causes of action, suits,
damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred,
and particularly for or on account of vehicular damage due to concrete falling from the Spring Street bridge

which occurred on or about the 17th day of May, 2000.

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 27th day of July, 2000.

Shonterrace L. Henderson (LS)
SHONTERRACE L. HENDERSON

The above release was read and explained to, and signed by the said SHONTERRACE
HENDERSON in our presence on the date above written.

Trinia Y. Heard
Lynnda A. Burton
WITNESSES

00- R-1244

RCS# 2194 :
9/05/00
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
Y Starnes
NV Bond
Y Winslow
Y Dorsey
NV Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-1007
00-R-1309

CONSENT

09/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
<ol style="list-style-type: none"> 1. 00-O-1102 2. 00-O-1143 3. 00-O-1207 4. 00-O-1295 5. 00-O-1303 6. 00-O-1313 7. 00-O-1124 8. 00-O-1125 9. 00-O-1126 10. 00-O-1127 11. 00-O-1128 12. 00-O-1133 13. 00-O-1196 14. 00-O-1298 15. 00-O-1122 16. 00-O-1300 17. 00-R-1198 18. 00-R-1230 19. 00-R-1290 20. 00-R-1312 21. 00-R-1316 22. 00-R-1265 23. 00-R-1266 24. 00-R-1267 25. 00-R-1268 26. 00-R-1270 27. 00-R-1314 28. 00-R-1229 29. 00-R-1233 30. 00-R-0886 31. 00-R-1236 32. 00-R-1237 33. 00-R-1238 34. 00-R-1239 35. 00-R-1240 36. 00-R-0241 37. 00-R-1242 38. 00-R-1243 39. 00-R-1244 	<ol style="list-style-type: none"> 40. 00-R-1235 41. 00-R-1245 42. 00-R-1246 43. 00-R-1247 44. 00-R-1248 45. 00-R-1249 46. 00-R-1250 47. 00-R-1251 48. 00-R-1252 49. 00-R-1253 50. 00-R-1254 51. 00-R-1255 52. 00-R-1256 53. 00-R-1257 54. 00-R-1258 55. 00-R-1259 56. 00-R-1260 57. 00-R-1261 58. 00-R-1262 59. 00-R-1263 60. 00-R-1264